IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 7204 of 2005

Between:

1 G, Manaiah, s/o Late G. Babaiah,
Commissioner of Industries,

Andhra Pradesh, Abids, Hyderabad.
2 B. Shankar, S/o Late Lingam,
Commissioner of Industries,

Andhra Pradesh, Abids, Hyderabad.
3 C. Ramamurthy, S/o Sri Krishnaiah,
Commissioner of Industries,

Andhra Pradesh, Abids, Hyderabad.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh,

rep., by its Principal Secretary,
Industries and Commerce Department,

Secretariat, Hyderabad.
2 The Commissioner of Industries,

Government of Andhra Pradesh,
Chirag-Ali Lane, Abids, Hyderabad.
3 The Secretary,

Andhra Pradesh Public Service Commission,

Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of "Certiorari" call for the records relating to the order dated 5-12-2003 passed in O.A.No. 6405/1995 by the Hon'ble Andhra Pradesh Administrative Tribunal and quash the same as unjust and without any basis in the interest of justice and pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr. M.RATNA REDDY

Counsel for the Respondent Nos.1 & 2: GP FOR INDUSTRIES & COMMERCE.

Counsel for the Respondent No.3 : Mr. M.VIJAY KUMAR (SC for APPSC)

The Court made the following:

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ORDER: (per GB,J)

This Writ Petition is filed challenging the order, dated
05-12-2003 passed by the Tribunal dismissing the O.A. No.6405 of 1995.

2. It is stated that the learned counsel for the petitioner was not present due to unavoidable circumstances and therefore, the Tribunal ought not to have dismissed the O.A. It is also stated that in an identical case, i.e. in O.A.No.815 of 1997, the Tribunal already disposed of the matter. Under those circumstances, the learned counsel would submit that the matter requires reconsideration in the hands of the Tribunal.

3. We have heard the learned Government Pleader.

4. Keeping in view the facts and circumstances, the order of the Tribunal is set aside and the matter is remitted to the Tribunal for disposal, in accordance with law, keeping in view the similar order already passed in O.A.No.815 of 1997.

5. Accordingly, the Writ Petition is disposed of. No order as to costs.

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G.BIKSHAPATHY,J

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P.S.NARAYANA,J

1st April, 2005.

Tsy/es

To

1 The Principal Secretary,

Government of Andhra Pradesh,

Industries and Commerce Department,

Secretariat, Hyderabad.

2 The Commissioner of Industries,

Government of Andhra Pradesh,
Chirag-Ali Lane, Abids, Hyderabad.

3 The Secretary,

Andhra Pradesh Public Service Commission,
Nampally, Hyderabad.

4 The Registrar, A.P.Administrative Tribunal,

Purani Haveli, Hyderabad.

5 Two CCs to the GP for Industries & Commerce,

High Court Buildings, Hyderabad (O.U.T.).

6 Two CD copies.